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ATTORNEYS FOR ALL PLAINTIFFS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND
DIVISION

JANE ROE, an individual; MARY ROE,
an individual; SUSAN ROE, an
individual; JOHN ROE, an individual;
BARBARA ROE, an individual;
PHOENIX HOTEL SF, LLC, a
California limited liability company;
FUNKY FUN, LLC, a California limited
liability company; and 2930 EL
CAMINO, LLC, a California limited
liability company,

Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, a California public entity,

Defendants.

Case No. 4:24-cv-01562-JST

**DECLARATION OF OMAR WARD
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

**ASSIGNED FOR ALL PURPOSES
TO THE HONORABLE DISTRICT
JUDGE JON S. TIGAR,
COURTROOM 6**

Action Filed: 03/14/2024
Trial Date: Unassigned

1 I, Omar Ward, declare as follows:

2 1. I am over the age of 18 and have personal knowledge of the facts
 3 stated herein, except for facts that are stated on information, belief, or
 4 understanding. As to the latter, I have a good faith basis for believing them to be
 5 true. If called as a witness, I could and would competently testify thereto. I make this
 6 declaration in Support of Plaintiffs' Motion for Preliminary Injunction.

7 2. I reside in San Francisco, California, and I regularly visit San
 8 Franscico's Tenderloin neighborhood. I have an X (formerly Twitter) account under
 9 the handle @war24182236, under the pseudonym "jj smith." On that account, I
 10 routinely publish video footage, photographs and commentary about drug use and
 11 homelessness on the streets of San Francisco.

12 3. On August 19, 2025, in the alleyway behind Safeway on 16th and Church
 13 Street, I saw table set up with individuals I understood to be working for the SF
 14 AIDS Foundation distributing drug paraphernalia. I saw one person receive a bag
 15 from the distribution site with foil in it. I also saw an individual wearing a
 16 Department of Public Health jacket sitting at a table observing the mobile
 17 distribution station.

18 4. On August 20, 2025, I entered 172 Turk Street in the Tenderloin. When
 19 I walked in, I stood in a line with several other individuals. An individual who I
 20 understood to be working for the SF AIDS Foundation proceeded to pass out glass
 21 pipes to each person in line. I was given a glass "bubble", a straight glass tube,
 22 straws and Brillo. I know these materials are used to smoking drugs like fentanyl
 23 and methamphetamine. I saw bags and containers with additional pipes, glass tubes,
 24 straws and Brillo. I was not offered counseling. I did not see or hear anyone else be
 25 offered counseling or provided materials related to counseling services. When I asked
 26 for more than one pipe, I learned they were almost out of pipes. I presume they had
 27 already handed out most of what they had. Attached hereto as **Exhibit A** is a true
 28 and correct copy of video footage that I recorded on August 20, 2025 at 172 Turk

1 Street, San Francisco, California. The video is one minute and fifty-nine seconds
2 long. **Exhibit A** is a fair and accurate depiction of the events and occurrences I
3 witnessed and describe in paragraph 3 of this declaration.

4 5. On August 21, 2025, I entered the parking lot of GLIDE Memorial
5 Church at 322-330 Ellis Street. I approached a table set up in front of a large shed
6 like structure large enough for a staff member to walk in and out of. I could see what
7 looked like medical supplies inside the storage container. I asked for a smoking kit,
8 which was a black bag with foil, Brillo and straws. I know these materials are used
9 for smoking drugs like fentanyl and methamphetamine. I asked for a pipe and was
10 told that those are handed out on Tuesday and Fridays. Attached hereto as **Exhibit**
11 **B** is a true and correct copy of video footage that I recorded on August 21, 2025, at
12 322-330 Ellis Street, San Francisco, California. The video is one minute and twenty
13 seconds long. **Exhibit B** is a fair and accurate depiction of the events and
14 occurrences I witnessed and describe in paragraph 4 of this declaration.

15 6. Within the last several weeks, I have been to 685 Ellis Street in the
16 Tenderloin, which I understand to be a homeless shelter run by the City and County
17 of San Francisco. Very often, I go by and see crowds of people loitering outside that
18 are homeless. I know some of the people that loiter outside are residents of 685 Ellis
19 Street. They are often intoxicated, standing, sitting or lying down on the sidewalk. I
20 often see them smoking what I believe to be drugs. I believe they obtain the pipes,
21 foil, straws and smoking materials they use outside of 685 Ellis Street from
22 organizations passing them out.

23 I declare under penalty of perjury under the laws of the United States of
24 America that the foregoing is true and correct to the best of my knowledge.

25 Executed on this 22nd day of August, 2025, at San Francisco, California.

Signed by:

72F91F8B3B764CA...

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EXHIBIT A

Place Holder

(Video taken by Omar War on August 20, 2025)

EXHIBIT B

Place Holder

(Video taken by Omar Ward on August 21, 2025)